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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
PHILLIP D. HURBACE, et al.,
Defendants.

Case No. 2:17-cr-00110-APG-DJA

Stipulation to Extend Deadline for Government's Response to Defendants' Opening Brief Re Restitution [ECF No. 509] (Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, through Richard Anthony Lopez and Mina Chang, Assistant United States Attorneys, counsel for the United States of America, Lisa Rasmussen, Esq., counsel for defendant Sylviane D. Whitmore, and Mark D. Eibert, Esq., counsel for defendant Phillip D. Hurbace, that the deadline for the government's Response to defendants' Opening Brief Re Restitution, ECF Nos. 507, 515, currently set for May 29, 2024, ECF No. 508, be extended to May 31, 2024.

This Stipulation is entered into for the following reasons:

1. Following the parties' restitution hearing held on May 1, 2024, the Court granted defendant Whitmore's request to provide written briefing regarding restitution. ECF No. 502.
2. On May 14, 2024, the Court granted defendant Sylviane Whitmore's motion to extend defendants' filing deadline to May 14, 2024 and government's response to May 29, 2024. ECF No. 508.
3. Defendant Whitmore filed a Brief Regarding Restitution on May 14, 2024. ECF No. 509. On May 26, 2024, defendant Phillip Hurbace filed a Motion for Joinder to Co-Defendant Whitmore's Brief Regarding Restitution. ECF No. 515.
4. Government counsel needs additional time to complete its research, contact victims, and finalize an appropriate response to defendants' brief.
5. This continuance is not sought for purposes of delay, but to provide the government the necessary time to file an appropriate response.
6. The parties agree to this continuance.
7. Defendants Whitmore and Hurbace are out of custody and do not object to the request for continuance.

This is the parties' second request for an extension.

DATED this 28th day of May, 2024.

Respectfully submitted,

LAW OFFICES OF KRISTINA
WILDEVELD & ASSOCIATES

JASON M. FRIERSON
United States Attorney

/s/ Lisa Rasmussen
LISA RASMUSSEN, Esq.
Counsel for Defendant Sylviane Whitmore

/s/ Mina Chang
RICHARD ANTHONY LOPEZ
MINA CHANG
Assistant United States Attorneys

/s/ Mark Eibert
MARK EIBERT, Esq.
Counsel for Defendant Phillip Hurbace

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:17-cr-00110-APG-DJA

Plaintiff,

V.

PHILLIP D. HURBACE, et al.,

Defendants.

**Order on Stipulation to Extend Deadline for
Government's Response to Defendants'
Opening Brief Re Restitution
[ECF No. 509]
(Second Request)**

Based on the parties' stipulation to extend the deadline for the government's Response to defendants' Opening Brief Re Restitution, and good cause appearing therefore, the Court hereby finds that:

1. Following the parties' restitution hearing held on May 1, 2024, the Court granted defendant Whitmore's request to provide written briefing regarding restitution. *See* ECF No. 502.
2. On May 14, 2024, the Court granted defendant Sylviane Whitmore's motion to extend defendants' filing deadline to May 14, 2024 and government's response to May 29, 2024. ECF No. 508.
3. Defendant Whitmore filed a Brief Regarding Restitution on May 14, 2024. ECF No. 509. On May 26, 2024, defendant Phillip Hurbace filed a Motion for Joinder to Defendant Whitmore's Brief Regarding Restitution. ECF No. 515.

- 1 4. Government counsel needs additional time to complete its research, contact victims,
- 2 and finalize an appropriate response to defendants' brief.
- 3 5. This continuance is not sought for purposes of delay, but to provide the government
- 4 the necessary time to file an appropriate response.
- 5 6. The parties agree to this continuance.
- 6 7. Defendants Whitmore and Hurbace are out of custody and do not object to the
- 7 request for continuance.

8 **ORDER**

9 **IT IS HEREBY ORDERED** that the deadline for the Government's Response to
10 defendants' Restitution Brief, currently set for May 29, 2024, be extended to May 31, 2024.

11 DATED this 29th day of May, 2024.

13 
14 HON. ANDREW P. GORDON
15 UNITED STATES DISTRICT JUDGE